

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 20, 2005
Bulk Item: Yes X No

Division: Growth Management
Department: Planning
Staff Contact Person: K. Marlene Conaway

AGENDA ITEM WORDING: Approval for an Affordable Housing Deed Restriction for Employee Housing one dwelling unit from James E. & Barbara Jo Sharpe.

ITEM BACKGROUND: On February 9, 2005 the Planning Commission approved an allocation award for the applicants listed below provided the applicants' Affordable Housing Deed Restriction for Employee Housing is approved by the BOCC. James E. & Barbara Jo Sharpe submitted the Restrictive Covenant to Monroe County. The applicants are receiving a dwelling unit allocation award for the year ending July 13, 2005, have filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: None

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

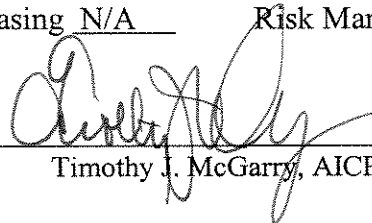
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP


DOCUMENTATION: Included X

Not Required

DISPOSITION:

AGENDA ITEM #

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: March 16, 2005
RE: Clarification of Agenda Item

Affordable Housing for Employee Housing

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
03-1-5136	James E. & Barbara Jo Sharpe	James E. & Barbara Jo Sharpe	Lot 4, Block 2, Summerland Key Cove Addition #2, Summerland Key

This instrument prepared by:

Whitney Meehan
26351 State Road 4
Ramrod Key, FL 33042

**MONROE COUNTY PLANNING DEPARTMENT
AFFORDABLE HOUSING DEED RESTRICTION
FOR EMPLOYEE HOUSING**

**STATE OF FLORIDA
COUNTY OF MONROE**

Notice is hereby given that:

- I. We, James E. & Barbara Jo Sharpe, a married couple, the undersigned are the sole owners of certain real property, situated, lying and being in Monroe County, State of Florida, described as follows:

 Lot: 4 Block: 2 Subdivision: Summerland Key Cove, Addition #2

 Key: Summerland Real Estate Number: 00190770.000000 PB: 4-100
- II. Building Permit Number is 03-1-5136 for one employee housing/commercial apartment.
- III. Under the affordable housing provisions set forth in Chapter 9.5 of Monroe County Land Development Regulations, the owner or owners of the above-described real property have been exempted from payment of "Fair Share Impact Fees" for a commercial apartment/employee housing unit to be constructed on said real property.
- IV. The annual adjusted gross income for the owner-occupied or tenant/employee occupied households does not exceed one hundred (100) percent of the median adjusted gross annual income within Monroe County.
- V. The rent (employee housing/tenant) will not exceed thirty (30) percent of the median adjusted gross annual income divided by 12 for households within Monroe County.
- VI. The Maximum sales price, owner occupied affordable housing unit shall mean a price not exceeding four and one-quarter (4.25) times the annual median household income for Monroe County.
- VII. Under Monroe County Code Section 9.5-266, the affordable housing commercial apartment units are each restricted to a maximum of one thousand three hundred (1,300) square feet of habitable space for a period of at least thirty (30) years.

- VIII. The applicants have used the affordable housing program to gain additional points in the permit allocation system pursuant to Monroe County Section 9.5-122.3(6)
- IX. The use of the dwelling is restricted to households that derive at least seventy (70) percent of their household income from gainful employment in Monroe County and meet the adjusted gross annual income limits for median-income as defined in section 9.5-4 (A-5).
- X. The covenants shall be effective for thirty (30) years for each unit, but shall not commence running until a certificate of occupancy has been issued by the building official for the dwelling unit(s) to which the covenant or covenants apply. This deed restriction shall remain in effect for thirty (30) years regardless of the owner(s) or occupant(s) ability to comply or re-qualify on an annual basis or as otherwise may be required.
- XI. All of the restrictions herein shall be binding upon any transferees, lessees, heirs, assigns or successors in the chain of title.

We certify that we are familiar with the information herein contained and that it is true and correct to the best of my knowledge and belief, and we will abide by the above stated restrictions pursuant to Monroe County Code Chapter 9.5 as may be amended from time to time

WITNESSES:

Zoe J. Hausenflock
(Signature)
Zoe J. Hausenflock
(Print/Type Name)

Susan V. Meneses
(Signature)
Susan V. Meneses
(Print/Type Name)

OWNER OR OWNERS:

James E. Sharpe
(Signature)
James E. Sharpe
(Print/Type Name)

James E. Sharpe
(Signature)
Barbara Jo Sharpe
(Print/Type Name)

The foregoing instrument was acknowledged before me this 9 day of February, 2005 A.D. by James E. and Barbara Jo Sharpe who are personally known to me or have produced _____ as identification.



Susan V. Meneses
Notary Public (Signature)
Susan V. Meneses
Notary Public (Print Name)